REMARKS

By this Amendment, Applicant hereby adds claim 33. Accordingly, claims 1-17, 19-30, and 33 are all of the claims pending in the application.

I.   Formal Matters

The Examiner has not acknowledged Applicant's request in the Amendment filed on January 17, 2008, to consider the documents cited on the PTO/SB/08 forms submitted with the Information Disclosure Statements filed on May 15, 2006, and February 22, 2007. Applicant respectfully requests that the Examiner consider these documents and return the initialed PTO/SB/08 forms.

II.   Summary of the Office Action

Claims 1-17 and 19-30 remain rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

III.   Claim Rejections under 35 U.S.C. § 101

The Examiner rejected claims 1-17 and 19-30 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Examiner asserts that the claims are directed to an abstract concept and fail to provide a useful, concrete, or tangible result. Applicant respectfully traverses this rejection and respectfully requests the Examiner to reconsider this rejection at least in light of the comments which follow.

Applicant respectfully submits that the claims provide the useful, concrete, and tangible result of predicting a label value of unknown data (*see* page 1, lines 8 to 21 of the specification). For example, independent claim 1 recites, *inter alia*, "retrieving, using said plurality of learning machines, the unknown data from said storage device to make a prediction of a label value of

said unknown data by using the results of the learning machines" (emphasis added).

Independent claim 4 recites, *inter alia*, "said learning machines learn the known data supplied

from the sampling devices and predict the label values of the unknown data using the results of

the learning" (emphasis added). The independent claims each recite features similar to, although

not necessarily coextensive with, these features recited in claims 1 and 4. Accordingly, all of the

claims provide the useful, concrete, and tangible result of predicting a label value of unknown

data.

This label value represents useful, concrete, and tangible things in the real world and is

not merely an abstract value. By way of example, and not for purposes of limitation, the label

value may represent a determination of whether or not golf should be played based upon a set of

environmental conditions. *See* page 2, lines 9-21 of the specification.

The unknown data is data having unknown label values (*see* page 12, line 22 of the

specification). The data is also described as having various attributes (*see* page 2, lines 8-9 of

the specification). Similar to labels, attributes represent useful, concrete, and tangible things in

the real world, such as, by way of example and not for purposes of limitation, weather,

temperature, humidity, and wind force. *See* page 2, lines 9-21 of the specification. Thus, data

having an unknown label value, the representing real-world values such as weather in the

example above, is transformed through a series of mathematical calculations in order to arrive at

a resulting label value, which also represents a real-world value, such as whether or not golf

should be played in the example above.

Thus, Applicant respectfully submits that the prediction of label values of unknown data

is a practical application of active learning and that the claims provide the useful, concrete, and

tangible result of predicting a label value of unknown data. At least for these reasons, Applicant

respectfully submits that claims 1-17, 19-30, and 33 are directed to statutory subject matter and

patentable under 35 U.S.C. § 101.

IV.   New Claim

Applicant hereby adds claim 33, which is supported throughout the specification.

Applicant respectfully submits that claim 33 is directed to statutory subject matter and patentable

under 35 U.S.C. § 101, as discussed above.

V.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

/Eric S. Barr/

SUGHRUE MION, PLLC   Eric S. Barr
Telephone: (202) 293-7060   Registration No. 60,150
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 2, 2008